

MEMORANDUM

AUGUST 13, 1987

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA BOURQUE, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING

SUBJECT: RECOMMENDATION TO AMEND ARTICLE 27, INTERIM PLANNING
OVERLAY DISTRICT

SUMMARY: The Zoning Commission has proposed an amendment to Article 27, Interim Planning Overlay District regulations, to enable the Zoning Commission to extend an individual IPOD beyond two years upon the recommendation of the Authority if the Commission finds that the two year period will be inadequate for its review of petitions for final zoning.

In November, 1984, the Zoning Commission adopted Article 27, Interim Planning Overlay District regulations that established the basic regulations for adopting an IPOD for a particular area of the City where appropriate. At that time the Commission adopted language in this Article that stated, "but under no circumstances may it exceed two years."

In considering the neighborhood and Downtown IPODs, the Commission feels that a two year time period is needed for carrying out the work in an IPOD, and that an IPOD should be adopted for two years to provide for a structured process and timely completion of tasks. However, the Commission feels that the two year period may not always provide adequate time for their own and the public's review of the final zoning amendments, as well as adequate time for the formal hearing and adoption process. Therefore the Commission has proposed an amendment to Article 27 that would provide for an IPOD to be adopted initially for a maximum two year term, but that the Commission may extend this term during the IPOD period upon the recommendation of the Authority if it finds it to be necessary.

Considering the extensive planning and zoning tasks that are required for an individual IPOD, staff feels that it is appropriate to support an amendment to Article 27 to allow the Commission to adopt such an extension.

VOTED: That in connection with Text Amendment Application No. 130 proposed by the Zoning Commission of the City of Boston, the Boston Redevelopment Authority recommends approval of an amendment to Article 27 to enable the Zoning Commission to extend the initial two year period of an adopted Interim Planning Overlay District upon the recommendation of the Authority when the Commission finds an extension necessary in order to complete review of petitions for final zoning.

Map Amendment Application No. 130
Zoning Commission of the City of Boston
Amend Article 27, Interim Planning
Overlay District

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956 as amended, proposes to amend the Boston Zoning Code as follows:

1. By deleting, in Section 27-2, respecting basic regulations for an interim planning overlay district, in subsection 3, after the words "shall be" the words "in effect", and inserting in their place the word

adopted

2. By deleting, in the same subsection, after the words "for a specified time period," the words "but under no circumstances may it", and inserting in their place the words

not to

3. By deleting, in Section 27-2, subsection 5, after the word "extended" the words "to a total period not to exceed two years, or may be", and inserting in their place the words

upon the recommendation of the Boston Redevelopment Authority and in accordance with Section 3 of Chapter 665 of the Acts of 1956 as amended,

Petitioner: Zoning Commission of the City of Boston

By:

Richard B. Fowler, Chairman

Address:

City Hall, Room 957

Boston, MA 02201

Telephone:

722-4300 ext. 421

Date:

Text Amendment Application No. 150
Zoning Commission of the City of Austin
Second Article 27: Interim Planning Overlay District

Therefore, under the authority of Chapter 665 of the Acts of 1956 and Chapter 652 of the Acts of 1960 this article is established.

SECTION 27-2. Basic Regulations.

1. An Interim Planning Overlay District shall be established through text and map amendment to the Zoning Code and zoning maps.
2. An Interim Planning Overlay District may operate to suspend all or a portion of the existing underlying zoning of an area for the period during which the Interim Planning Overlay District shall be in effect.
3. An Interim Planning Overlay District shall be in effect for a specified time period, but under no circumstances may it exceed two years.
4. An Interim Planning Overlay District itself may be divided into subdistricts.
5. An Interim Planning Overlay District may be extended to a total period not to exceed two years, or may be amended or repealed, at any time prior to expiration of the specified time period, only by approval of the Zoning Commission after petition, public notice and hearing. Upon expiration of the specified time period, the Interim Planning Overlay District shall automatically dissolve.
6. An Interim Planning Overlay District may employ an Interim Planning Permit procedure to govern any or all areas of the Interim Planning Overlay District. The Interim Planning Permit system is described in Section 27-3.

Text Amendment Application No. 130
Zoning Commission of the City of Boston
Amend Article 27, Interim Planning Overlay
District

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956 as amended, proposes to amend the Boston Zoning Code as follows:

1. By deleting, in Section 27-2, respecting basic regulations for an interim planning overlay district, in subsection 3, after the words "shall be" the words "in effect", and inserting in their place the word
adopted
2. By deleting, in the same subsection 27-2.3, after the words "for a specified time period," the words "but under no circumstances may it", and inserting in their place the words
not to
3. By inserting, in subsection 5 of Section 27-2, a comma after the word "extended", and by deleting the words "to a total period not to exceed two years, or may be".
4. By inserting, in the same subsection 27-2.5, between the words "only by" and the words "approval of the Zoning Commission", the words
petition of the Boston Redevelopment Authority and
5. By deleting, in the same subsection 27-2.5, after the words "approval of the Zoning Commission after", the word "petition" and the comma following it.

Petitioner: Zoning Commission of the City of Boston

By: Richard B. Fowler, Chairman

Address: City Hall, 9th Floor
Boston, Massachusetts 02201

Telephone: (617) 722-4300, Extension 421

Date: _____